

REMARKS

The examiner rejects the independent claim 114 under 35 USC 112, second paragraph, as being indefinite. In particular, the phrase, "the bits of a content data" was objected to. This phrase appears in the step, "determining a digital fingerprint from the bits of a content data item that is a one of the content data items retrieved for a one of the multiple clients from a one of the network storage locations." The description of this step has been changed to: "determining a digital fingerprint of a content data item that is a one of the data items of content retrieved for a one of the multiple clients from a one of the network storage locations."

The step now defines "a content data item" in terms of "data items of content" defined by the "retrieving" step. The term, "digital fingerprint of a data item" is clearly defined in the specification.

The examiner also rejects claim 114 on indefiniteness grounds, for use of the term "proxy repository". This term has been replaced by "data repository", which is clearly defined in the specification.

The examiner also rejects claim 165 on indefiniteness grounds, for use of the phrase "which it has ever browsed." The term "browsed" has been replaced in all claims by "accessed" (including in the independent claim) and this defect has been fixed by modifying claims 164 and 165 to read:

164. The method of claim 114 wherein the data repository retains a copy of a plurality of the data items of content accessed by the one of the multiple clients via the web proxy, thereby preserving the content after it has been altered or removed from the network.

165. The method of claim 164 wherein the one of the multiple clients uses a search engine to search the copy of the plurality of the data items of content accessed by the one of the multiple clients.

The examiner has rejected the independent claim 114 under 35 USC 103 as being unpatentable over Heilig combined with Kanai and Yuasa. The examiner is urged to reconsider

and withdraw the rejection. The differences between claim 114 and Heilig, Kanai, and Yuasa are very significant, and the examiner does not seem to have understood them.

To further clarify one difference from the prior art, the expiration time limitation has been further delineated, the final "whereby" clause has been amended, and four additional "wherein" clauses have been appended. These five clauses now read:

whereby the stored data item is preserved and can be retrieved, using the access authorization credential, for an indefinite period after the content data item is no longer present at the network storage locations;

wherein the one of the multiple clients reassigns the expiration time to a later time;

wherein no action taken by the one of the multiple clients can cause the expiration time to be changed to an earlier time or cause the stored data item to be deleted at an earlier time than the expiration time;

wherein after the expiration time has passed deletion of the data item is allowed;
and

wherein the indefinite period extends at least until the expiration time.

Claim 114 specifies that the stored data item is preserved for an indefinite period, lasting at least until the expiration time, and that a client can extend the period but not make it shorter. This is very different than the expiration time described in Yuasa (column 13, lines 10-14), which lasts for one week from the start date of the content. There is no provision in the art of record to allow the client to reassign the expiration time, and certainly no suggestion of a system in which the client can extend the expiration but cannot make it shorter or cause the stored data item to otherwise be deleted.

Accordingly, the independent claim is in condition for allowance.

The remaining claims are all properly dependent on the independent claim, and thus allowable therewith. Each of the dependent claims adds one or more further limitations that enhance patentability, but those limitations are not presently relied upon. For that reason, and

Applicant : Norman Margolus
Serial No. : 10/752,732
Filed : January 7, 2004
Page : 8 of 8

Attorney's Docket No.: 11656-004010

not because applicants agree with the examiner, no rebuttal is offered to the examiner's reasons for rejecting the dependent claims.

Dependent claims have been amended to conform with the language changes made in the independent claim in response to the examiner's office action. Claim 167 has been canceled. Three new claims have been added, to further clarify the definition of the data repository. The new claims are fully supported by the specification (e.g., see paragraphs [0165] and [0044-0046] of the published parent application (US20020038296)

Allowance of the application is requested.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 10/31/2007

/grogerlee/

G. Roger Lee

Reg. No. 28,963

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906